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UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/933,893 | 08/21/2001 | Z. Niu | FUJB 18.867 |

CONFIRMATION NO. 6373

026304
ROSENMAN & COLIN LLP
575 MADISON AVENUE
NEW YORK, NY 10022-2585

FORMALITIES LETTER



OC000000006591132

Date Mailed: 09/21/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$80.
 - \$80 for 1 independent claims over 3 .
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 920.

The following item(s) appear to have been omitted from the application:

- Page(s) 22 of the specification (description and claims).

| | | | |
|-------------------|----------|--------|----------|
| 01/29/2002 JADD01 | 00000049 | 501290 | 09933893 |
| 01 FC:101 | | | |
| 02 FC:102 | 740.00 | CH | |
| 03 FC:105 | 84.00 | CH | |
| | 130.00 | CH | |

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

A copy of this notice MUST be returned with the reply.

Gelila

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



01-24-02

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Sector 8

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re. U.S. Application of: Zhisheng NIU, ET AL.

Filed: August 21, 2001

Serial No.: 09/933,893

For: A METHOD FOR RETRANSMISSION OF LOST PACKET IN FADING....

Attention : Application Branch

COPY OF PAPERS
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SUBMISSION OF MISSING PARTS

Hon. Commissioner of Patents
and Trademarks
Washington, D.C. 20231

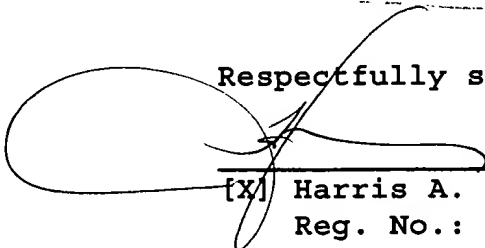
SIR:

We have received a Notice to File Missing Parts of
Application dated September 21, 2001 a copy of which is attached.
In reply thereto enclosed please find the following items:

- ☒ 1. Declaration;
- ☒ 2. Return post card;
- ☒ 3. Notice to File Missing Parts of Application;

Any fee due with this paper may be charged to Deposit Acct.
No. 50-1290.

Respectfully submitted,


[X] Harris A. Wolin
Reg. No.: 39,432

ROSENMAN & COLIN, LLP.
575 MADISON AVENUE, 15TH FLOOR
New York, New York 10022-2585
TELEPHONE: (212) 940-8800
NOVEMBER 13, 2001
Docket No.: 099000-55448 (FUJB 18.867)
ejh: Mispart.

ANY FEE DUE WITH THIS PAPER, NOT FULLY
COVERED BY AN ENCLOSED CHECK, MAY BE
CHARGED ON DEPOSIT ACCOUNT NO. 501290

Filed by Express Mail
(Receipt No. EV014763497U)
on Nov. 13, 2001
pursuant to 37 C.F.R. 1.10,
by 